



U.S. Department of Justice

United States Attorney  
Southern District of New York

**MEMO ENDORSED**

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September 28, 2023

**BY ECF**

The Honorable Valerie E. Caproni  
United States District Judge  
Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, New York 10007

**Re: *United States v. Jeremy Pinales Diaz*, 23 Cr. 493 (VEC)**

Dear Judge Caproni:

The Government writes to respectfully request that the time between today and the October 17, 2023 initial pretrial conference be excluded pursuant to the provisions of the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A). The defendant was indicted on September 21, 2023, *see* ECF No. 6, and has not yet been arraigned. Although it is the Government's position that the Speedy Trial clock does not begin to run until the date the defendant is arraigned, out of an abundance of caution, the Government seeks the proposed exclusion between today and the date of the initial pretrial conference.

The Government respectfully submits that the ends of justice served by granting the proposed exclusion outweigh the best interests of the public and the defendant in a speedy trial, as the proposed exclusion will allow the Government time to prepare and produce discovery, the defendant time to review such discovery, and the parties an opportunity to begin discussing a possible pretrial resolution of this case. Defense counsel has informed me that she consents to this request.

Application GRANTED. Time is hereby excluded until October 17, 2023, under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), as the ends of justice served by taking such action outweigh the best interest of the public and the Defendant in a speedy trial given the need to provide the Defendant adequate time to review discovery and the Defendant's consent to exclude time.

SO ORDERED.

09/29/2023

HON. VALERIE CAPRONI  
UNITED STATES DISTRICT JUDGE

Respectfully submitted,

DAMIAN WILLIAMS  
United States Attorney

By:

Henry Ross  
Assistant United States Attorney  
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cc: Ariel Werner, Esq. (by ECF)